

Lawyers Look at Security

The United States is recovering its balance after the worst of the security stampede. Though much of the mess McCarthyism left behind has still to be cleared up, the voice of moderation is now more audible. One of the most authoritative pronouncements in this vein came recently from a committee of the Bar Association of New York in a report on the Federal programme for personnel security. Their recommendations for removing the more objectionable features of the programme carry all the more weight because the committee are by no means disposed to underestimate the threat of Communist espionage or the necessity for counter measures. Secrets must be kept out of the hands of people who cannot be trusted with them. The committee tried to find out how this can be done without abuse of liberty or the demoralization of civil servants. Much of their reasoning is relevant to our own rather different arrangements.

The changes they recommend follow three main directions. First, they would like the scope of the programme drastically reduced. Six million civilian posts are now covered by Federal security checks, which would seem to imply an unconscionable number of secrets in the United States. What it actually implies is that between four and five million people are put through the screening process who have access to no information of such importance as to justify all the fuss. Security measures are bound to be offensive, and are likely to be inefficient, if they are not confined to the things which really matter. The committee's next objective is to bring order and consistency into a multiplicity of procedures. The purge of the American civil service was begun in a hurry, almost in a panic. It was a crash programme, administered by some seventy departments and agencies each free to devise its own methods. That is the explanation of cases like that of MR. LADEJINSKY, who, having been several times cleared by the State Department, was discharged on the same evidence as a bad security risk when he later entered the service of the Department of Agriculture—an error that was subsequently acknowledged. Even the same department sometimes resurrects a case, though there may be no fresh evidence, and contradicts its former judgment. Firmer central control of operations and more uniformity in their conduct are the committee's remedies for these abuses.

Their third group of proposals are directed towards introducing into the proceedings as many as possible of those rules which secure a man a fair trial in a court of law—specification of charges, confrontation of

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of evidence and procedure in security hearings inevitably show up badly when compared with the courts, inevitably because they serve a different purpose.